

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN LEMONS,

Plaintiff,

v.

VERITY CREDIT UNION,

Defendant.

CASE NO. C10-1104

ORDER DECLINING TO SERVE
COMPLAINT AND DISMISSING
COMPLAINT WITHOUT
PREJUDICE

Plaintiff has filed an amended civil complaint with this court. The Court, having reviewed the amended complaint and record, does hereby find and ORDER that the complaint is defective for the following reasons:

(1) Rule 8(a) of the Federal Rules of Civil Procedure provide that

A pleading which sets forth a claim for relief... shall contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, unless the court already has jurisdiction to support it, (2) a short and plain statement of the clam showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief the pleader seeks...

Fed. R. Civ. P. 8(a).

1 Plaintiff's complaint does not comply with all of the requirements set forth in Rule 8(a).
2 Plaintiff has previously been ordered to file a complaint which clearly states the basis for federal
3 jurisdiction (Dkt. No. 5), but has failed to do so. What he did do was simply re-file his
4 allegations that someone stole \$20,000 which Social Security had deposited in his account at
5 Defendant bank on a "Civil Rights Complaint Under 42 U.S.C. § 1983" form. Dkt. No. 7. His
6 complaint states no claim under § 1983, alleges no other violation of federal right or statute nor
7 articulates any other basis sufficient to establish this Court's jurisdiction to hear his case.

8 The Court is of the belief at this point that Plaintiff has no grounds for federal
9 jurisdiction. It is possible that, with legal assistance, he may at some point be able to articulate
10 one but under the current circumstances it appears futile to grant him further opportunities to
11 amend.

12 This matter is ordered DISMISSED without prejudice.

13 The clerk is ordered to provide copies of this order to all counsel.

14 Dated this 26th day of October, 2010.

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17 Marsha J. Pechman
18 United States District Judge
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